

### **REMARKS**

The Office Action of October 27, 2006 has been received and carefully reviewed. Applicant notes with appreciation the indication in the Office Action that claims 16, 20-22, 23/16, 23/21, 25/16, 25/21, 26, 27, 28/16, 28/21, 29/16, 29/21, 30, and 31 are allowed. Applicant further notes the objection to claims 18 and 19 and the indication in the Office Action that these claims would be allowable if rewritten in independent form including all the limitations of the base claim and any intervening claims. By the above amendment, claim 17 has been cancelled without prejudice or disclaimer, claim 18 has been amended to include the features of claim 17, and the dependencies of claims 23, 25, 28, and 29 have been amended in conjunction with the amendment to claim 18, whereby claims 16, and 18-31 remain pending in the subject application and are now believed to be in condition for allowance. Reconsideration of pending claims is respectfully requested in view of the above amendment and the following remarks.

### **Information Disclosure Statement**

The Office Action indicated that the IDS submitted on January 12, 2006 was filed after the mailing date of the Office Action mailed on December 29, 2005 and that Applicant's deposit account has been charged accordingly. The Office Action, however, goes on to assert on page 2 that the IDS submission was not in complete compliance with the provisions of 37 CFR 1.98(a)(3) and MPEP § 609 because it allegedly failed to include a concise explanation of the relevance of each non-English language patent listed, and that the Foreign documents have not been considered as to the merits.

Applicant respectfully traverses the finding of non-compliance with the IDS submitted in January 12, 2006. In particular, Applicant notes that concise explanations of relevance for the non-English language references were indeed provided on page 4 of the IDS form of January 12, 2006, wherein this IDS is of record in the subject application, and consideration thereof is respectfully requested. In this regard, Applicant further requests that the listed references on the corresponding form 1449 be initialed and provided with the next Office communication.

Applicant has furthermore obtained and provided translated abstracts of the cited references JP 11-329003, DE 198 55 788, and EP 1 020 325 in a supplemental IDS filed

separately on April 5, 2006, wherein consideration of these cited abstract translation references and initialing of the corresponding form 1449 is respectfully requested.

### **REJECTIONS UNDER 35 U.S.C. §103**

#### **Claims 17, 19, and 23/17**

Claims 17 and 23/17 were rejected under 35 U.S.C. §103 as being unpatentable over Chien 5,806,960 in view of Daniel 4,667,274 and Vega 6,464,369. Reconsideration and withdrawal of these rejections is respectfully requested for at least the following reasons.

Applicant initially notes a discrepancy between the PTOL-326 form provided with the Office Action of October 17, 2006 that indicates claim 19 was being objected to, but does not indicate claim 19 as being rejected, the statement on page 3 of the Office Action stating that "Claims 17, 19, and 23/17 are rejected...", and the indication in the "Allowable Subject Matter" section on page 6 of the Office Action indicating that claims 18 and 19 would be allowable if rewritten in independent form. Applicant further notes in this regard that except for the single statement on page 3, the remainder of the "Claim Rejections" section on pages 3-5 of the Office Action is silent regarding any particular rejection of claim 19. Thus, Applicant assumes that the appearance of claim 19 in the single statement on page 3 of the Office Action was erroneous and that claim 19 has not been rejected, and requests reconsideration thereof in the current dependent form depending from independent claim 18 per the above amendment.

Regarding the rejection of claim 17, this claim has been cancelled without prejudice or disclaimer by the above amendment, whereby this rejection has been rendered moot.

With respect to claim 23/17, dependent claim 23 has been amended above to no longer depend from cancelled claim 17, whereby claim 23 is now believed to be in condition for allowance and reconsideration of the rejection of this claim is respectfully requested under 35 U.S.C. §103 for at least this reason.

**Claim 24**

Claim 24 was rejected under 35 U.S.C. §103 as being unpatentable over Chien, Daniel and Vega as applied to claims 17 and 23/17, and further in view of Dugmore 6,457,838. Reconsideration and withdrawal of this rejection is respectfully requested for at least the following reasons.

By the above amendment, claim 23 no longer depends from cancelled claim 17, and claim 24 depends through claim 23 from claims 16, 18, or 21. Thus, the above amendment has addressed the rejection of claim 24 which is now believed to be in condition for allowance, whereby reconsideration and withdrawal of the rejection of claim 24 is respectfully requested under 35 U.S.C. §103 for at least this reason.

**Claim 25/17**

Claim 25/17 was rejected under 35 U.S.C. 103 as being unpatentable over Chien, Daniel, Vega, and Dugmore as applied to claims 17, 23/17, and 24, and further in view of Kotary 6,554,447. Reconsideration and withdrawal of this rejection is respectfully requested for at least the following reasons.

By the above amendment, claim 25 has been amended to no longer depend from cancelled claim 17, and instead depends from claims 16, 18, or 21, whereby amended claim 25 is now believed to be in condition for allowance, and reconsideration and withdrawal of the rejection of claim 25 is respectfully requested under 35 U.S.C. §103 for at least this reason.

**Claim 28/17**

Claim 28/17 was rejected under 35 U.S.C. 103 as being unpatentable over Chien ('960), Daniel, and Vega as applied to claim 17, and further in view of Chien 5,479,325. Reconsideration and withdrawal of this rejection is respectfully requested for at least the following reasons.

By the above amendment, claim 28 has been amended to no longer depend from cancelled claim 17, and instead depends from claims 16, 18, or 21. Amended claim 28 is thus now believed to be in condition for allowance, and reconsideration and withdrawal of the rejection thereof is respectfully requested under 35 U.S.C. §103 for at least this reason.

**Claim 29**

Claim 29 was rejected under 35 U.S.C. 103 as being unpatentable over Chien ('960), Daniel, Vega, and Chein ('325) as applied to claims 17 and 28/17, and further in view of Appiah 6,752,510. Reconsideration and withdrawal of this rejection is respectfully requested for at least the following reasons.

Claim 29 was amended above to no longer depend from cancelled claim 17, and now depends from claims 16, 18, or 21. Amended claim 29 is therefore now believed to be in condition for allowance, and reconsideration and withdrawal of the rejection thereof is respectfully requested under 35 U.S.C. §103 for at least this reason.

**ALLOWABLE SUBJECT MATTER**

Claims 18 and 19 were objected to as being dependent upon a rejected base claim, but were indicated as being allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. By the above amendment, claim 18 has been rewritten into independent form including all the limitations of cancelled base claim 17, and claim 19 depends from claim 18, whereby claims 18 and 19 are now believed to be in condition for allowance and Applicant respectfully requests reconsideration and withdrawal of the objection to these claims.

**CONCLUSION**

For at least the above reasons, the currently pending claims are believed to be in condition for allowance and notice thereof is requested.

Should the Examiner feel that a telephone interview would be helpful to facilitate favorable prosecution of the above-identified application, the Examiner is invited to contact the undersigned at the telephone number provided below.

Should any fees be due as a result of the filing of this response, the Commissioner is hereby authorized to charge the Deposit Account Number 06-0308, PABE200001.

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|-------------------------------------|--|
| <input checked="" type="checkbox"/> | One or more fees may be paid via credit card through the electronic filing system (EFS-Web) in association with this submission. If any additional fee is determined to be due as a result of the filing of this submission, the Commissioner is hereby authorized to charge any such additional fees associated with this submission to Deposit Account Number 06-0308. |
| <input checked="" type="checkbox"/> | Should any extensions of time under the provisions of 37 CFR 1.136(a)(1)-(5) be required for this submission, such are hereby requested and the Commissioner is hereby authorized to charge any such extension of time fees to Deposit Account Number 06-0308.   |
| <input checked="" type="checkbox"/> | This submission is being filed on the date indicated below by electronic transmission with the United States Patent and Trademark Office via the electronic filing system (EFS-Web).   |

Respectfully submitted,

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